

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KYLE SMITH : CIVIL ACTION
vs. : NO. 02-2718
PROMARK PRODUCTS WEST, INC. :

O R D E R

BEFORE THE HONORABLE RONALD L. BUCKWALTER

AND NOW, this 21st day of November, 2002,

A review of the docket discloses that service of the Complaint in the above-captioned matter has not been made, it is therefore

O R D E R E D

that the matter is hereby DISMISSED WITHOUT PREJUDICE pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, as to the defendant.

If, within ten (10) days, good cause can be shown why service was not made within one hundred and twenty (120) days of the date of the filing of the Complaint, the dismissal will be vacated.

BY THE COURT:

Ronald L. Buckwalter, J.